

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RECHARGEABLE BATTERIES
AND COMPONENTS THEREOF**

Investigation No. 337-TA-1421

LIMITED EXCLUSION ORDER

The United States International Trade Commission (“Commission”) has found respondent Shenzhen Yichen S-Power Tech Co. LTD (“Respondent” or “Yichen”) in default pursuant to 19 U.S.C. § 1337(g)(1) and 19 C.F.R. § 210.16. *See* Order No. 11 (Jan. 8, 2025), *unreviewed by* Comm’n Notice (Feb. 3, 2025). The complaint, as supplemented, alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the unlawful importation, sale for importation, or sale within the United States after importation of certain rechargeable batteries and components thereof that infringe one or more of claims 1, 4–9, 11–16, and 18–23 of U.S. Patent No. 9,412,994 (“the ’994 Patent”) or one or more of claims 1–10 and 12–20 of U.S. Patent No. 9,954,207 (“the ’207 Patent”) (collectively, the “Asserted Patents”). Because the conditions in 19 U.S.C. § 1337(g)(1)(A)–(E) have been satisfied, the Commission, upon the request of the complainants, issues a limited exclusion order, based on the allegations regarding a violation of section 337 in the complaint that are presumed to be true as to defaulting respondent Yichen.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission has made its determination on the issues of remedy, public interest, and bonding. The Commission has determined that the appropriate form of relief is a limited exclusion order prohibiting the unlicensed entry of infringing rechargeable batteries and

components thereof manufactured abroad by or on behalf of, or imported by or on behalf of, Respondent or any of its affiliated companies, parents, subsidiaries, agents, or other related business entities, or its successors or assigns.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(g)(1) do not preclude the issuance of the limited exclusion order, and that the bond during the period of Presidential review shall be in the amount of 100 percent of the entered value of the articles subject to this Order.

Accordingly, the Commission hereby **ORDERS** that:

1. Certain rechargeable batteries and components thereof (as defined in paragraph 2 below) that infringe one or more of claims 1, 4–9, 11–16, and 18–23 of the '994 Patent or one or more of claims 1–10 and 12–20 of the '207 Patent that are manufactured abroad by or on behalf of, or imported by or on behalf of, Yichen, or its affiliated companies, parents, subsidiaries, agents, or other related business entities, or its successors or assigns, are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, for the remaining terms of the Asserted Patents, except under license from, or with the permission of, the patent owner or as provided by law.
2. The rechargeable batteries and components thereof that are subject to this Order (“covered articles”) are as follows: lithium-ion batteries with 6V or more electrical potential, and components used for domestic assembly of lithium-ion batteries with 6V or more electrical potential, specifically, battery management systems and lithium-based rechargeable cells.

3. Notwithstanding paragraph 1 of this Order, covered articles are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption under bond in the amount of 100 percent of the entered value of the products, pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)) and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 *Fed. Reg.* 43,251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order. All entries of covered articles made pursuant to this paragraph are to be reported to U.S. Customs and Border Protection (“CBP”), in advance of the date of the entry, pursuant to procedures CBP establishes.
4. At the discretion of CBP and pursuant to the procedures it establishes, persons seeking to import articles that are potentially subject to this Order may be required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.
5. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to covered articles that are imported by and for the use of the United States,

or imported for, and to be used for, the United States with the authorization or consent of the Government.

6. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).
7. The Secretary shall serve copies of this Order upon each party of record in this investigation and upon CBP.
8. Notice of this Order shall be published in the Federal Register.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval shape.

Lisa R. Barton
Secretary to the Commission

Issued: January 29, 2026